



***VOTING RIGHTS
FOR SENIOR CITIZENS
AND
INDIVIDUALS WITH DISABILITIES***



Secretary of State
www.GeauxVote.com
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STATE OF LOUISIANA

Voting Rights for Senior Citizens and Individuals with Disabilities

Introduction



Individuals with disabilities, senior citizens, and residents of nursing homes and veterans' homes can use this brochure to learn about their voting rights and to participate in our democracy.

Eligibility to Vote

To be eligible to vote in Louisiana, you must be:

- a U. S. citizen;
- at least 18 years old on or before Election Day; and
- a resident of Louisiana.

You are NOT eligible to vote if you are:

- currently in prison and under an order of imprisonment for conviction of a felony (*you may have your voting rights restored upon completion of your sentence*);
- under a judgment of full interdiction (guardianship); or
- under a judgment of limited interdiction in which your right to vote has been specifically removed.

Election poll workers cannot deny your right to vote based on disability, age, sex, race, or sexual orientation.

Patients in state-run institutions are eligible to register and vote.

If you live in a nursing home, assisted living facility, group home, developmental center, or hospital and would like to vote, contact your social worker, activity director, parish registrar of voters or the Secretary of State's office. Staff at these facilities can help you to obtain voter registration forms and information and voting information; however, they may not assist you in completing your voter registration form or absentee ballot. If you have problems, contact the Secretary of State's Office toll free

at 1-800-883-2805 between the hours of 8 a.m. and 4:30 p.m., Monday through Friday.

If a resident of a nursing home or veterans' home claims a homestead exemption for a private residence they own, they may choose either to register in the parish where they have a homestead exemption or register in the parish where the nursing home or veterans' home is located.

How to Register to Vote

There are four (4) ways to register to vote:

1. In person

You can register to vote at your parish registrar of voters' office (see Appendix A for a list of registrars of voters' offices by parish). **Bring a picture ID or birth certificate for identification purposes and proof of residence.**

2. By mail

- a. Obtain a copy of the mail voter registration form from the registrar of voters' office, other voter registration agencies or online at www.sos.louisiana.gov/tabid/457/Default.aspx. An organized group conducting a voter registration drive may also offer you a form. In addition, forms may be obtained from various distribution sites, such as parish libraries.
- b. Complete the form in blue or black ink.
- c. Mail the completed form to your parish registrar of voters' office in a sealed envelope (see mailing address shown in Appendix A). If you give your completed form to a group conducting a voter registration drive, you are depending on them to return the form to the correct registrar of voter's office in a timely manner and in time for you to vote in the next election.

3. At Voter Registration Agencies

- a. You can obtain a voter registration form from public assistance offices, armed forces recruitment offices, state-designated agencies (such as libraries and schools), some federal agencies and agencies that provide state-funded services to individuals with disabilities.

Contact your parish registrar of voter's office for specific locations near you.

- b. These agencies will give you the voter registration form, help you fill it out, accept completed forms, and mail them to the appropriate registrar of voters' office.
- c. At the Office of Motor Vehicles (OMV), you should be offered the opportunity to register to vote when you go to obtain, renew, or change your driver's license or state identification card. Complete the voter registration form and return it to the OMV who will be responsible for mailing the completed form to your parish registrar of voters' office.

4. On-line at www.GeauxVote.com

Visit the Secretary of State's website to register to vote or make changes to your registration.

You are not registered until the registrar of voters' office in your parish processes the form.

You must register to vote no later than 30 days prior to an election.

No matter which method you choose, you will receive a voter registration card by mail that is your verification that your voter registration is complete. You should contact your registrar of voters' office if you do not receive a voter registration card within 30 days of registering.

You can also use the voter registration card to change your address by completing the back of the card, signing the back of the card, and mailing it to your registrar of voters' office. It is important to update your address with the registrar of voters' office to ensure you are registered to vote at the correct precinct and remain eligible to vote.

How to Vote

- ✓ You may vote **absentee by mail**.

- ✓ You may vote **early in person** at your precinct or in your nursing or veteran's home.
- ✓ You may vote **on Election Day in person**.

Voting Absentee by Mail

- To vote absentee by mail, call your parish registrar of voters' office for information and for an Application for Absentee by Mail Ballot form. In addition, this form and its instructions are also available on the Secretary of State's website at www.sos.louisiana.gov/tabid/169/Default.aspx. If you vote absentee by mail, you may not vote early or at the polls early on Election Day.
- Complete the form and mail or fax it to your parish registrar of voters' office.
- If you are a first-time voter, you must go to the registrars of voters' office to identify yourself before being able to vote absentee by mail.
- You will receive an absentee ballot, if eligible to vote absentee by mail.
- Vote using the absentee ballot and return it to your parish registrar of voters' office. The absentee ballot may be mailed through the U.S. Postal Service. If you feel like you may not have sufficient time to return your ballot by mail and you sign a secrecy waiver, you can fax your ballot to your parish registrar of voters' office.
- The parish registrar of voters' office must receive the ballot before Election Day to be counted.

Some applicable reasons for voting absentee by mail include:

1. 65 years of age or more;
2. Proof of one the following disability identifications:
 - a. a valid mobility impaired identification card;
 - b. Letter or card showing eligibility for social security disability benefits; veteran's disability benefits; paratransit services; benefits from Office of Citizens with Developmental Disabilities or from Louisiana Rehabilitation Services; or current proof of disability from a physician.

Those applying to vote absentee by mail for the reasons listed above are eligible to receive a mail ballot automatically for all elections, unless

the ballot is returned undeliverable to the registrar of voters. You may also request to be removed from the program at any time by sending a letter to the registrar of voters' office.

Disability Program

This program allows physically disabled voters, those in nursing homes or veterans' homes, and homebound persons to vote absentee by mail or in person at their nursing or veterans' home without having to apply each election. All mail ballots are automatically sent for all elections unless the ballot is returned undeliverable to the registrar of voters.

❖ Eligibility

Any voter who has a physical disability to the extent that he or she is unable to vote early in person at a site designated by the parish registrar of voters or unable to vote in person at the polls on Election Day, is in a nursing home, veterans' home or homebound.

❖ Signing Up for the Program

To apply for the disability program and receive an absentee by mail ballot automatically for every election, you may apply for an Absentee by Mail ballot using the Secretary of State's application <http://www.sos.louisiana.gov/tabid/169/Default.aspx> with a copy of current proof of disability with your application of either:

- (a) a mobility impaired identification card issued by the Office of Motor Vehicles;
- (b) social security disability benefits, veteran's disability benefits, paratransit services, benefits from the Office for Citizens with Developmental Disabilities, or benefits from Louisiana Rehabilitation Services; or
- (c) a physician's letter certifying your disability if you are homebound.

If you are in a nursing home or veterans' home, to apply and vote in person at your nursing home or veteran's home for every election, you may send a letter to your parish registrar of voters with a physician's letter certifying your disability. You must apply at least 30 days prior to an election. You must sign the letter, or if unable to sign, make a mark with one witness and provide your name and address of the nursing or veterans' home.

If submitting your application by mail, you must also enclose a copy of either your LA driver's license, LA special ID card, other generally recognized photo ID that contains your name and signature, or a letter where you have listed the names and addresses of 2 persons residing in your precinct who could make oath, if required, to the fact that you are physically disabled.

❖ **Voting Under the Disability Program**

AT HOME

Once approved for the program, you will automatically receive a ballot by mail for all elections unless your ballot is returned as undeliverable to the registrar of voters.

IN A NURSING HOME OR VETERANS' HOME

- Once approved for the program, a voter residing in a nursing home or veterans' home will be notified by the registrar when he or she will be in the home to allow the resident to vote early in person. The parish registrar of voters' office will bring the ballot or voting system to the home for early voting.
- Ask your family or a close friend for assistance, if needed.

Early Voting in Person

No reason is necessary in order to vote early in person.

If you are in the disability program but want to vote early in person for an election, simply do not vote and mail your absentee ballot for that election. Destroy it after voting early so no one can vote your absentee ballot. If you have voted and mailed your absentee by mail ballot, you will not be allowed to vote early in person. You will continue to receive your absentee ballot automatically for all future elections.

Early voting in person takes place 7 to 14 days before an election at your local registrar's office and in additional sites in some parishes. Contact your registrar for locations.

If you vote during early voting in person, you may not vote at the polls on Election Day. Early voting hours are 8:30 am – 6:00 pm. Voting is conducted on an electronic voting system or may be conducted by paper ballot.

All early voting machines are audio accessible and can be lowered to accommodate a person in a wheelchair.

Election Day Voting in Person

- Polling places are open 6:00 am – 8:00 pm. All voting machines are audio accessible and can be lowered to accommodate a person in a wheelchair.
- For assistance in audio voting, visit our website www.geauxvote.com and review our quick guide.
- If you are in the disability program but want to vote in person on election day for an election, simply do not vote and mail your absentee ballot for that election. Destroy it after voting so no one can vote your absentee ballot. If you have voted and mailed your absentee by mail ballot, you will not be allowed to vote in person on election day. You will continue to receive your absentee ballot automatically for the next election(s).

Accessibility

All polling places must be accessible to individuals with disabilities. The definition of a polling place is the location in the facility where the voting system(s) is(are) located.

Everyone should be able to access his or her polling place. The doors should be wide enough for a wheelchair. There should be ramps or elevators if there are steps. There must be reserved accessible parking and all walkways must be accessible and free of obstacles.

All electronic voting systems in Louisiana are capable of being accessible to individuals with disabilities, including audio ballots for individuals with visual impairments and those unable to read the written word or physically unable to reach the ballot on the voting system. If you need assistance using the audio voting keypad to cast your vote, please ask for help.

If your polling place is not accessible, contact the Secretary of State's Office at 800-883-2805. You may also call one of the disability advocacy groups listed in the back of brochure for assistance.

Federal Elections

Congressional elections have a closed primary system for the 2010 elections. This means that there will be two primary elections where a voter has to vote within their party. There will be a 1st party primary election where all party candidates run and there will be a second party primary for the two highest candidates from the 1st party primary, unless a candidate receives more than 50% of the vote. HOWEVER, FOR THE GENERAL ELECTION, YOU MAY VOTE FOR ANY CANDIDATE REGARDLESS OF YOUR PARTY AFFILIATION and the candidate with the highest number of votes (plurality) wins.

FREQUENTLY ASKED QUESTIONS

❖ What happens when I go into a polling place to vote?

1. Once you get inside the polling place, the election poll worker will ask you for your name and address.
2. The election poll worker will ask you to show a photo ID, such as your Louisiana driver's license, Louisiana special identification card or other recognized picture identification with name and signature. If you do not have picture identification, you can provide the election poll worker with identification information shown on the precinct register, such as your date of birth. You will then be required to sign a voter identification affidavit in order to vote.
3. You will be required to sign or make your mark next to your name in the precinct register.
4. If you are visually impaired and read Braille, you may ask an election poll worker for a copy of the Braille booklet containing information on voting for federal elections only. **This book must be returned to the election poll worker.**
5. According to Louisiana law, a voter who is "visibly disabled" or who possesses a mobility impaired identification card issued by the Office of Motor Vehicles shall be allowed to go to the front of the line to cast a ballot; therefore, it is your right to advance to the front of the line and inform election poll workers of your disability. Otherwise, you will have to wait in line until it is your turn to vote.

❖ What happens at the voting system?

- When it's your turn to vote, you will go to the voting system.

- **State law allows a voter receiving assistance in voting or a voter using the audio ballot 20 minutes to cast your vote, so be sure to review the sample ballots posted at the precinct, in the newspaper or on our website at <http://www400.sos.louisiana.gov/cgibin/?rqstyp=BLTINQ&rqsdta=start>. Once you get to the Web site, click on your parish.**
- To vote, you will be required to touch the ballot or the touchscreen, depending on whether you are voting on Election Day or during early voting in person.
- You must vote for at least one candidate you want to elect to office or for any one issue that may be on the ballot for the voting system to cast a ballot.
- Review your choices to make sure that you voted for every candidate and for every issue for which you intended to vote before pressing the cast vote button.
- You will then cast your vote on the voting unit by pressing the “cast your vote” button or pressing the select button on the audio voting keypad. Your vote will be added to the other votes.

❖ **What happens if I need help?**

Election poll workers can offer three types of assistance to voters:

- Anyone can ask an election poll worker to show them how to operate the voting system. The election poll worker is obligated to assist voters who ask for instructions on operating the voting system.
- If you use a wheelchair, ask the election poll worker to lower the voting system for you.
- Ask the election poll worker to give you the audio voting keypad if you need it to vote.

You may have assistance in voting from anyone of your choice, with certain exceptions, if:

- 1) You are currently marked with an assistance code in the precinct register;
- 2) You produce a doctor's note when voting stating that you need assistance (If produced on election day, the election poll worker will forward documentation to the registrar of voters' office and you will be marked with an assistance code for future elections; or
- 3) You produce one of the following disability identifications or notifications:

- a. a valid mobility impaired identification card issued by the Office of Motor Vehicles;
- b. Letter or card showing eligibility for social security disability benefits; veteran's disability benefits; paratransit services; benefits from the Office for Citizens with Developmental Disabilities or benefits from Louisiana Rehabilitation Services; or
- c. current proof of disability from a physician.

Exceptions: If you chose someone to assist you in voting, you may not select someone who is a candidate for that election, your employer or employer's agent, a union agent or a commissioner-in-charge at the poll on Election Day. In addition, you may not use an owner, operator, administrator, or any employee that works in a nursing home or state-owned facility to assist you.

The person assisting you will be required to print and sign their name in the back of the precinct register starting in 2011.

❖ How do I use the audio voting keypad?

The audio voting keypad is shown below. Advise the election poll worker if you want to vote use the audio voting keypad and the commissioner will setup the voting system for you. This keypad can be of assistance to anyone who is visually impaired, illiterate, physically disabled, and unable to reach the voting system and those individuals with difficulty reading the written word; however, anyone may use the audio voting keypad.



❖ What happens if an election poll worker states that I cannot vote?

If an election poll worker states that you cannot vote, ask why. Ask the election poll worker to call the parish registrar of voter's office to find out why you can't vote. If you are being denied the right to vote based on your disability, contact the Secretary of State's Office toll free at 1-800-883-2805 or call one of the disability advocacy groups listed on the last page, if necessary.

If your name does not appear on the precinct register and it is a *Federal Election*, such as president, U.S. senator, or U.S. representative, you may ask to vote a *provisional ballot* if you are told that you cannot vote. You must certify that you are in fact a registered voter and eligible to vote in the federal election before voting a provisional ballot.

You must turn in the provisional ballot at the polling place. Your parish board of election supervisors will determine whether or not your vote will be counted. If you cast a provisional ballot in a recent federal election and want to know if your vote was counted, contact the Secretary of State's Office toll free at 1-800-883-2805 no sooner than seven days after the election. You must have your provisional ballot number available when calling to see if your ballot was counted.

❖ What happens if I make a mistake on my ballot?

This depends on the type of ballot.

- If you make a mistake on a paper provisional ballot, you must return it to one of the election workers and get a new provisional ballot.
- If you are using a voting system and you realize you have made a mistake, you can make as many changes as you like before you actually press the "cast vote" button. To make a change, press the previous selection to deactivate the selection before making a new selection. **You cannot change your ballot after you have cast your vote.**



❖ Are there solutions to overcome possible barriers in voting?

- You are at the voting system and do not know what to do.
 - ✓ Ask an election poll worker for help.

- The route to the polling place is not accessible.
 - ✓ Check for an alternate route.
 - ✓ If you get prior authorization from your registrar, you may cast your vote at another accessible polling place that is near and has the same ballot.
 - ✓ Call your parish governing authority and complain.
 - ✓ Call the Secretary of State's Office at 1-800-883-2805 to complain.

- The attitude of the election poll worker is negative and you feel uncomfortable.
 - ✓ Ask to speak to another election poll worker.
 - ✓ Be sure to vote while you are at the polling place.
 - ✓ Contact your parish clerk of court's office and voice your complaint. The clerk of court will forward your complaint to the parish board of election supervisors who will review it.
 - ✓ Call the Secretary of State's Office toll free at 1-800-883-2805 to complain.

- Your guardian is reluctant to let you vote.
 - ✓ If you have not been fully interdicted or partially interdicted in which your right to vote has been removed, you can vote.
 - ✓ Tell your guardian why voting is important and that you want to be a part of the political process.
 - ✓ Ask another friend or family member for help.
 - ✓ Contact your parish clerk of court's office.
 - ✓ Call the Secretary of State's Office toll free at 1-800-883-2805.

- Someone states that they will give you a ride to the polling place if you vote the way they want you to vote.
 - ✓ Your vote is your own. It is private. You do not have to vote the way anyone else states you should vote, and you do not have to tell anyone how you voted.
 - ✓ If you need a ride to a polling place, you can call your friends, your family, your church, or other community group. Many of these organizations can help you with transportation to your polling place.

- Once at the polling place, you are free to vote for the candidates or issues you have chosen.

Important Things to Remember



Persons with disabilities have the right to vote. Voting is your decision. You have the right to vote unless a court has ruled that you cannot vote.

No one can tell you how to vote.

Your vote is private - you do not have to tell anyone how you voted.

The polling place must be accessible to you.

You can ask for help in understanding how to register and operate a voting machine.

Election Dates

For upcoming election dates, visit the Secretary of State's website at www.sos.louisiana.gov/tabid/152/Default.aspx or call toll free 1-800-883-2805.

Elections Compliance Unit

The Secretary of State's Office has an Elections Compliance Unit (ECU) that is responsible for investigating complaints of election irregularities, including voter fraud and abuse, vote buying and threats to disrupt or inhibit the election process.

The Election Compliance Unit's toll-free hotline number is 1-800-722-5305.

Complaints

Voters can make complaints on Election Day by calling the Secretary of State's Office toll free at 800-883-2805. This number will be available at the

polling place or on the Secretary of State's website at <http://www.sos.louisiana.gov/tabid/181/Default.aspx>.

Send complaints to the Secretary of State's Office at P.O. Box 94125, Baton Rouge, LA 70804-9125. For federal elections, the complaint must be written, sworn under oath, notarized, and must be filed within 90 days after final certification of the federal election. If you are having problems with this process, call the Secretary of State's Office at 1-800-883-2805.

If your complaint or question was not adequately addressed by the Secretary of State's Office, your parish clerk of court's office, or your parish registrar of voter's office, contact one of the following disability advocacy groups:

**The Advocacy Center
1010 Common St., Ste. 2600
New Orleans, LA 70112
1-800-960-7705
Ask for Intake**

**Governor's Office of Disability Affairs
150 N. 3rd St., Ste. 129
Baton Rouge, LA 70801
P.O. Box 94004
Baton Rouge, LA 70804-9004
1-225-219-7550
FAX 1-225-219-7551**